

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	19cv1862 (DLC)
JOSE JAVIER FERNANDEZ,	:	
	:	<u>ORDER</u>
Plaintiff,	:	
	:	
-v-	:	
	:	
AMADEO OKTROVA,	:	
Defendant.	:	
	:	
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DENISE COTE, District Judge:

An Opinion and Order of July 24, 2020 denied in part defendant Amadeo Oktrova's motion for summary judgment. It is hereby

ORDERED that the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. This case will be referred to mediation, with mediation to occur in **August or September 2020**, as determined by the preferences of the parties and the schedule of the mediator. The Clerk of Court will contact the parties when a mediator has been selected.
2. The Joint Pretrial Order must be filed by **September 25**.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. In the event a party does not file a Memorandum of Law, a responsive Memorandum of Law should not be submitted unless in reply to an unanticipated legal argument in the other party's Memorandum of Law. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

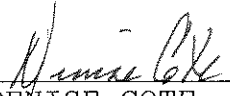
IT IS HEREBY ORDERED that the case is placed on the **October 2020** trial ready calendar. You must be ready to proceed on 24 hours notice. You may contact the Deputy Clerk, Gloria Rojas, to learn where your case stands on the calendar.

IT IS FURTHER ORDERED that the following procedures shall govern the conduct of the trial.

1. All exhibits must be pre-marked.
2. At the start of the trial each party will present the Court with the following documents:
  - (a) Three copies of a complete exhibit list.
  - (b) A set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labelled with the exhibit numbers and placed in a suitable container or box for ready reference.
  - (c) The exhibits should include copies of the sections of any depositions that are intended to be offered into evidence, expert reports, and any charts or summaries of evidence.
3. Counsel should be available every day at 9:00 a.m. (except for the first day of trial) in order to discuss with the Court any legal or evidentiary issues expected to arise during the day.
4. Testimony will generally be taken between 9:30 and 5:00 from Monday through Thursday. There will be a mid-morning, a mid-afternoon and a lunch break from 12:45 p.m. to 2 p.m.
5. There should be no sidebars during jury trials. Counsel are expected to anticipate any problems that might require a ruling from the Court and to raise those issues with the Court in advance of the time that the jury will be hearing the evidence.
6. If counsel intend to distribute copies of documentary exhibits to the jury, make a separate copy for each juror.

7. Counsel should make certain that they have custody of all original exhibits. The Court does not retain them and the Clerk is not responsible for them.

Dated: New York, New York  
July 24, 2020

  
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DENISE COTE  
United States District Judge